

UNITED STATES DISTRICT COURT FOR THE  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

UNITED STATES OF AMERICA,  
  
Plaintiff,  
  
v.  
  
ANDRII KOLPAKOV  
  
Defendant.

No. CR18-159-RSM

**PRELIMINARY ORDER OF  
FORFEITURE**

THIS MATTER comes before the Court on the parties' Stipulated Motion for Entry of a Preliminary Order of Forfeiture ("Stipulated Motion") seeking to forfeit, to the United States, Defendant Andrii Kolpakov's interest in the following property:

1. \$75,000 in U.S. currency, representing, in part, the proceeds the Defendant obtained as a result of Conspiracy to Commit Wire Fraud, in violation of 18 U.S.C. § 1349. This sum of money is separate and distinct from the restitution that is ordered in this case;
2. Asus laptop, model no. X510U (serial no. HANOCX24R525436);
3. Toshiba 128 GB SSD (serial no. 671510BATMXT);
4. SATA hard drive (serial no. 87VEC1G9T SWFHDKCB8888E0A01T);

1 5. Gold colored Samsung SM J500H Galaxy J5 cell phone (serial no.  
2 RV1H40M03WV, IMEI 357950071755024/01 and 35800071755027/0);  
3 and

4 6. Various SIM cards.

5 The Court, having reviewed the parties' Stipulated Motion, as well as the other  
6 papers and pleadings filed in this matter, hereby FINDS entry of a Preliminary Order of  
7 Forfeiture is appropriate because:

- 8 • The proceeds of Conspiracy to Commit Wire Fraud, in violation of  
9 18 U.S.C. § 1349, are forfeitable pursuant to 18 U.S.C. § 981(a)(1)(C) and  
10 28 U.S.C. § 2461(c);
- 11 • Facilitating property, which was obtained with proceeds from, or used to  
12 commit Conspiracy to Commit Computer Hacking, in violation of  
13 18 U.S.C. § 371, is forfeitable pursuant to 18 U.S.C. §§ 982(a)(2)(B) and  
14 1030(i);
- 15 • Pursuant to the Plea Agreement he entered on November 16, 2020, and as  
16 further identified and stipulated to by the parties, the Defendant agreed to  
17 forfeit the sum of money in the amount of \$75,000 in U.S. currency, as  
18 identified above in paragraph 1 above, as it represents, in part, the proceeds  
19 the Defendant obtained as a result of Conspiracy to Commit Wire Fraud.  
20 Dkt. No. 48, ¶ 9. Additionally, the Defendant agreed to forfeit the  
21 electronic equipment identified in paragraphs 2-6 above, as it constitutes or  
22 is derived from proceeds of, and/or facilitated his commission of  
23 Conspiracy to Commit Computer Hacking. *Id.*; and
- 24 • The sum of money in the amount of \$75,000 in U.S. currency is personal to  
25 the Defendant; pursuant to Federal Rule of Criminal Procedure ("Fed. R.  
26 Crim. P.") 32.2(c)(1), no third-party ancillary process is required before  
27 forfeiting it.

1 NOW, THEREFORE, THE COURT ORDERS:

2 1) Pursuant to 18 U.S.C. §§ 981(a)(1)(C), 982(a)(2)(B), and 1030(i),  
3 28 U.S.C. § 2461(c), and his Plea Agreement, the Defendant's interest in the above-  
4 identified sum of money in the amount of \$75,000 in U.S. currency and electronic  
5 equipment is fully and finally forfeited, in its entirety, to the United States;

6 2) Pursuant to Fed. R. Crim. P. 32.2(b)(4)(A)–(B), this Preliminary Order of  
7 Forfeiture will become final as to the Defendant at the time he is sentenced; it will be  
8 made part of the sentence; and, it will be included in the judgment;

9 3) No right, title, or interest in the above-identified sum of money in the  
10 amount of \$75,000 exists in any party other than the United States;

11 4) Pursuant to Fed. R. Crim. P. 32.2(e), in order to satisfy the sum of money,  
12 in whole or in part, the United States may move to amend this Order, at any time, to  
13 include substitute property having a value not to exceed \$75,000;

14 5) The United States Department of Justice, Federal Bureau of Investigations,  
15 and/or its authorized agents or representatives, shall maintain the above-identified  
16 electronic equipment in its custody and control until further order of this Court;

17 6) Pursuant to Fed. R. Crim. P. 32.2(b)(6) and 21 U.S.C. § 853(n), the  
18 United States shall publish notice of this Preliminary Order and the United States' intent  
19 to dispose of the electronic equipment as permitted by governing law. The notice shall be  
20 posted on an official government website—currently [www.forfeiture.gov](http://www.forfeiture.gov)—for at least  
21 thirty (30) days. For any person known to have alleged an interest in the electronic  
22 equipment, the United States shall also, to the extent possible, provide direct written  
23 notice to that person. The notice shall state that any person, other than the Defendant,  
24 who has or claims a legal interest in the electronic equipment must file a petition with the  
25 Court within sixty (60) days of the first day of publication of the notice (which is thirty  
26 (30) days from the last day of publication), or within thirty (30) days of receipt of direct  
27 written notice, whichever is earlier. The notice shall advise all interested persons that the  
28 petition:



1 Presented by:

2  
3 /s/ Krista K. Bush

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